

AUG. 24. 2006 11:57AM  
TO: USPTO

ZILKA-KOTAB, PC

NO. 3942 P. 1

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FAX COVER SHEET

Date: August 24, 2006	Phone Number	Fax Number
To: Examiner Mooneyham		(571) 273-8300
From: Kevin J. Zilka		

Docket No.: SVIPGP002B

App. No: 10/661,878

Total Number of Pages Being Transmitted, Including Cover Sheet: 23

Message:

Please deliver to Examiner Mooneyham.

Thank you,

Kevin J. Zilka

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
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AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

August 24, 2006

AUG. 24. 2006 11:57AM

ZILKA-KOTAB, PC

RE( )  
CENTRAL FAX CENTER

AUG 24 2006

NO. 3942 P. 2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Kevin J. Zilka et al.

Application No. 10/661,878

Filed: 09/11/2003

For: SYSTEM, METHOD AND COMPUTER  
PROGRAM PRODUCT FOR  
COLLECTING STRATEGIC PATENT  
DATA ASSOCIATED WITH AN  
IDENTIFIER

)  
) Group Art Unit: 3629  
)  
) Examiner: Mooneyham, J.  
)  
) Docket No. SVIPGP002B  
)  
) Date: August 24, 2006

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number: 571-273-8300 on the above date.

Signed:

  
April Skovmand

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Applicant(s) hereby petition for a extension of time to respond to the outstanding Office Action.  
☒ Applicant(s) believe that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1351.  
☐ Enclosed is our Check No. in the amount of \$ to cover the additional claim fee and/or extension of time fees.  
☒ If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. SVIPGP002B). A copy of this sheet is enclosed for billing purposes.

Respectfully submitted,  
Zilka-Kotab, PC

  
Kevin J. Zilka  
Registration No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
Telephone: (408) 971-2573

(Revised 1/90)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Kevin J. Zilka et al.

Application No. 10/661,878

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) Examiner: Mooneyham, J.  
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Respectfully submitted,  
Zilka-Kotab, PC

  
Kevin J. Zilka  
Registration No. 41,429

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San Jose, CA 95172-1120  
Telephone: (408) 971-2573

(Revised 1/96)

AUG. 24. 2006 12:02PM

ZILKA-KOTAB, PC

NO. 3942

P. 21



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,878	09/11/2003	Kevin J. Zilka	SVIPGP002B	8771
28875	7590	07/24/2006	EXAMINER	
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			MOONEYHAM, JANICE A	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

AUG. 24. 2006 12:02PM

ZILKA-KOTAB, PC

AUG 24 2006

NO. 3942 P. 22

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/661,878

Examiner

Janice A. Mooneyham

Applicant(s)

ZILKA ET AL.

Art Unit

3629

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

The amendment document filed on 04 May 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): \_\_\_\_\_.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or  
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LE), if applicable

Telephone No.

U.S. Patent and Trademark Office

Part of Paper No. 20060719

AUG. 24. 2006 12:03PM

ZILKA-KOTAB, PC

NO. 3942 P. 23

Continuation Sheet (PTOL-324)

Application No.

Applicant has amended claim 1 from a method to a computer program. Claims 2, and 4-13 depend on claim 1. They have been amended by the applicant to computer programs. However, the applicant has failed to amend the claims as set forth in 37 CFR 1.121. Applicant has amended claims 2 and 4-13 but has failed to underline the added text and show the deleted text. Applicant has improperly identified claims 2 and 4-13 as original claims. The property identifier is currently amended. The text of all claims being currently amended must be presented with markings to show changes relative to immediate prior version.